




SIGNED THIS 23rd day of October, 2019

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**


Rebecca B. Connelly
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA

IN RE:	}	CHAPTER 13
	}	
Clifford Arnold Swain	}	BANKRUPTCY CASE NO.:
Renae Celeste Swain	}	
	}	15-60929
DEBTOR(S)	}	

ORDER PERMITTING SALE

This matter having come before the Court upon the Motion to Sell Real Property and Motion to Modify Order, filed by Debtor(s), and finding that the terms of the sale will pay lien claims in full, and time being of the essence in the sale, and it appearing therefore proper to enter the Order without further Notice or hearing, and the Court having considered the endorsements hereto of counsel for the Debtors, and the Trustee, and good cause appearing, it is

ORDERED that the Debtors shall be permitted to sell the real property known as 3985 Diamond Hill Road, Moneta, VA 24121, in accordance with the terms of the contract of sale, or upon terms no more burdensome to the Debtors than those set forth in the original Motion, provided that all proceeds after reasonable and necessary costs of such sale shall be distributed and paid to the secured creditors by the settlement agent in proper order pursuant to state law; permission of the Court to sell such real property is conditioned upon the Debtors' ability to pay off the secured creditors at closing, provided, however, that the second Deed of Trust securing the claim of Suntrust, has been paid in full by the Trustee in accordance with the terms of Debtors' confirmed Chapter 13 plan, so that no payment is required, and the second Deed of Trust is hereby deemed satisfied and released. It is further

ORDERED that the settlement agent shall promptly send to the Chapter 13 Trustee (i) a copy of the Closing Disclosure Statement and (II) the sum of \$2,720.00 or an amount sufficient to pay in full the confirmed plan, whichever is less. It is further

ORDERED that the settlement agent shall forward the sum of \$650.00 directly to Michael D. Hart, P.C., which amount is hereby ORDERED to be proper and adequate compensation for the prosecution of this Motion, and for Defense and resolution of the previous Motion for Relief. Any and all remaining funds shall be forwarded to the Debtors. It is further

ORDERED that the Automatic Stay is continued to November 15, 2019, provided, however, if the sale has not been consummated by November 15, 2019, relief from stay as provided in the Agreed Order entered August 12, 2019, is granted on November 16, 2019.

A copy is directed to the Chapter 13 Trustee, to counsel for Debtor(s), Michael D. Hart, at Michael D. Hart, P.C., at P.O. Box 622, Roanoke, VA 24004, who shall serve a copy upon Debtor(s), and upon all creditors who have filed an objection to confirmation, and certify mailing to the Court.

****END OF ORDER****

I ask for this:

/s/ Michael D. Hart
Michael D. Hart, Esq.
Law Office of Michael D. Hart, P.C.
19 Church Avenue, SW
Roanoke, VA 24011
service@hartlawroanoke.com

Seen and agreed:

/s/Herbert L. Beskin (w/permission)
Herbert L. Beskin, Trustee
P O Box 2103
Charlottesville, VA 22902

Seen and agreed:

/s/ Dinh Ngo (w/permission)
Dinh Ngo., Esq.
US Bank Trust National
McCabe, Weisberg & Conway, LLC
312 Marshall Avenue, #800
Laurel, MD 20707